

From: Phil Russell
To: Microsoft ATR
Date: 11/19/01 2:39pm
Subject: Statment on the DOJ-Microsoft Propsed Settlement

I am addressing this to the email address given for consumer response to the proposed Microsoft Anti-Trust Settlement.

I am pleased that you have given us this email address and now are listening to average computer users.

In my opinion, the agreement as I have read about it lets Microsoft almost completely off the track. Microsoft's destruction of Netscape is not addressed in any way, form, shape or manner.

Because of their threats to Apple, novice Macintosh users are now effectively forced to use Microsoft Internet Explorer and Microsoft Outlook Express for web and email through the forced use of Mail and Browse aliases Apple must place on the desktop. These aliases make the novice user have these programs as default since the novice does not know how to evade using these aliases.

It might be educational for the judge in this case to listen to Bill Gates as he continually pounds on the suggestion that he does not want to see Microsoft kept from "innovating." He uses this word over and over. The challenge I pose to any Windows user is to show me just ONE thing Microsoft has EVER innovated. I have yet to see a Windows user come up with a SINGLE innovation. It is my observation that Microsoft borrows, steals or buys anything in the marketplace which looks good. Microsoft's real expertise lies in the fields of marketing and of improvement of products they borrow, steal or buy.

Indeed, it is Apple Computer which innovates... the first commercial graphic user interface (1984 Macintosh and earlier Lisa), QuickDraw, and Firewire as a few examples. So the court cannot and should not seek to protect innovation by a company. Microsoft, which never innovates at all.

Further, in fashioning a remedy, I think the judge should take particular notice of the absolute lies Bill Gates told the previous judge in the case, Penfield Jackson. This kind of behavior can tell the current judge much about how drastic the remedy must be to counter this kind of lying by the CEO of the leading corporation in America.

My bottom line is that the agreement, as I currently read of it, lets Microsoft almost completely off the hook. Please back off and try again for a remedy which curbs Microsoft's predatory behavior in the marketplace.

This case should not be a political football, with Democrats fighting for

anti-trust protection and Republicans seeking advantages for big business. Let common sense reign!

Thank you for listening to a home user,

Phil Russell

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"Within the computer industry, the description,
'more like a Macintosh' is always a high praise.
The description 'more like Windows' is rarely
used as praise." ---The Seattle Times